No. 85-1573 (2)

Supreme Court, U.S.
FILED
APR 15 1986
JOSEPH F. SPANIOL, JR.
CLERK

IN THE SUPREME COURT

OF

THE UNITED STATES

MARCH TERM, 1986

WILLIAM S. BRADFIELD, JR., APPELLANT

vs.

COMMONWEALTH OF PENNSYLVANIA

SUPPLEMENTAL APPENDIX TO JURISDICITONAL STATEMENT

JOHN PAUL CURRAN, ESQUIRE
Attorney for Appellant
William S. Bradfield, Jr.
CURRAN, MYLOTTE, DAVID &
FITZPATRICK
1800 JFK Blvd., 7th Fl.
Phila., PA 19103
(215) 751-9450

EXHIBIT "B"

J.37020/1984

COMMONWEALTH OF PENNSYLVANIA	:	IN THE SUPERIOR COURT OF
	:	PENNSYLVANIA
vs.		
	:	
WILLIAM S. BRADFIELD, JR.,		
Appellant	:	No. 00055 PHL 83

JUDGMENT

ON CONSIDERATION WHEREOF, it is now ordered and adjudged by this Court that the Judgment of the Court of Common Pleas of Delware County be, and the same is hereby AFFIRMED.

By the Court:

J. Haniel Henry
Prothonotary

Dated; January 9, 1985

EDITOR'S NOTE

THE FOLLOWING PAGES WERE POOR HARD COPY AT THE TIME OF FILMING. IF AND WHEN A BETTER COPY CAN BE OBTAINED, A NEW FICHE WILL BE ISSUED.

COMMONWEALTH OF PENNSYLVANIA	:	IN THE SUPERIOR COURT OF
v.	:	PENNSYLVANIA
WILLIAM S. BRADFIELD, JR.,	:	No. 00055 PHL 83
Appellant	:	

Appeal from the Judgment of Sentence of December 22, 1982 in the Court of Common Pleas of Delaware County, Criminal Division, at No. 922 A,B,C of 1981.

Before: DEL SOLE, MONTEMURO, and HOFFMAN, JJ.

PER CURIAM:

Affirmed.

FILED: Jan 9, 1985

COMMONWEALTH OF PENNSYLVANIA :

IN THE SUPERIOR COURT

vs. : OF PENNSYLVANIA

WILLIAM S. BRADFIELD, JR., :

Appellant : No. 55 Phila. 1983

Appeal from the Judgment of Sentence of December 22, 1982 in the Court of Common Pleas of Delaware County, Criminal Division, at No. 922 A,B,C of 1981.

Before: DEL SOLE, MONTEMURO, and HOFFMAN, JJ.

MEMORANDUM:

This is an Appeal from the judgment of sentence for theft by deception and theft by failure to make required disposition of funds. Appellant contends that (1) the evidence was insufficient to sustain the guilty verdict; (2) the lower court was without jurisdiction to try him on the charge of theft by deception; (3) the lower court erred in failing to grant his motion for a change of venue; (4) the trial court erred in failing to grant his motion for

a mistrial after the prosecutor improperly commented in his opening statement on another crime and on notations on the back of Exhibit C-6; (5) the trial court erred in admitting into evidence Exhibits C-1 through C-9 and in permitting the prosecutor to interpret notations on these exhibits to the jury; (6) the trial court erred in permitting W. Patrick Gallagher, Patricia Schnure and James McMullin to testify regarding their conversations with Susan Reinert; (7) the trial court erred in permitting Steven Etter to testify regarding financial transactions between Susan Reinert and appellant; and (8) the prosecutor improperly commented in his closing argument on appellant's failure to testify and to produce certain evidence. After a careful review of the record, we find that the lower court's opinion has adequately disposed of appellant's arguments and we therefore affirm. [*]

Affirmed.

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[*] We note that appellant failed to attach a copy

of the lower court's opinion to his brief as required by Pa. R.A.P. 2111. Although we strongly disapprove of such noncompliance with the Pennsylvania Rules of Appellate Procedure, we have chosen to address the mertis of the appeal in the interests of judicial economy. See Pa. R.A.P. 2101 (appeal may be quashed or dismissed if defects in the appellate brief are substantial).

EXHIBIT "C"

J. 37020/84

IN THE SUPERIOR COURT OF PENNSYLVANIA
No. 55 Philadelphia 1983

COMMONWEALTH OF PENNSYLVANIA

vs.

WILLIAM S. BRADFIELD, JR.,
Appellant

C.P. - Criminal, Delaware
(No. 922 A.B.C. of 81)

O R D E R

AND NOW, March 13, 1985, Appellant's Application for Reargument is denied.

Per Curiam

EXHIBIT "D"

SUPREME COURT OF PENNSYLVANIA
EASTERN DISTRICT

October 3, 1985

John Paul Curran, Esq.
1800 John F. Kennedy Blvd.
Philadelphia, PA 19103

RE: Commonwealth of Pa. v. William S. Bradfield, Jr., Petitioner
No. 422 E.D. Allocatur Docket 1985

Dear Mr. Curran,

This is to advise you that the following Order has been endorsed on your Petition for Allowance of Appeal, filed in the above-captioned matter:

"September 30, 1985.

Petition denied.

Per Curiam."

Very truly yours,

PATRICK TASSOS
Deputy Prothonotary

cc: John Reilly, Esq.

Filed: 12-27-85

COMMONWEALTH OF PENNSYLVANIA :

vs. :

IN THE SUPREME COURT OF PENNSYLVANIA

WILLIAM S. BRADFIELD, JR., :

Appellant :

No. 55 Phila. 1983

NOTICE OF APPEAL TO THE SUPREME COURT OF THE UNITED STATES

TO THE PROTHONOTARY OF THE PENNSYLVANIA SUPREME COURT:

Defendant, William S. Bradfield, jr., by his attorney, John Paul Curran, Esquire, gives notice to this Honorable Court that an Appeal is hereby taken to the Supreme Court of the United States from the Order entered in this matter on September 30, 1985 by this Court. This Appeal is taken by Writ of Certiorari, pursuant to 28 U.S.C. §1257 (3).

Respectfully submitted,

By: _____
JOHN PAUL CURRAN, ESQUIRE
Attorney for Appellant

COMMONWEALTH OF PENNSYLVANIA :
: IN THE SUPREME COURT
vs. : OF PENNSYLVANIA
WILLIAM S. BRADFIELD, JR., :
Appellant : No. 55 Phila. 1983

PROOF OF SERVICE

JOHN PAUL CURRAN, ESQUIRE, Attorney for Appellant, William S. Bradfield, Jr., hereby certifies that he did mail a true and correct copy of the Notice of Appeal in the above-captioned matter by regular mail on December 27, 1985 to John Reilly, Esquire, District Attorney of Delaware County Courthouse, Media, PA 19063.

CURRAN, MYLOTTE, DAVID & FITZPATRICK

By: _____
JOHN PAUL CURRAN, ESQUIRE
Attorney for Appellant

Filed: 4-1-86

COMMONWEALTH OF PENNSYLVANIA	:	
vs.	:	IN THE SUPERIOR COURT OF PENNSYLVANIA
WILLIAM S. BRADFIELD, JR.,	:	No. 55 Phila. 1983
Appellant	:	

NOTICE OF APPEAL TO THE SUPREME COURT OF THE UNITED STATES

TO THE PROTHONOTARY OF THE PENNSYLVANIA SUPERIOR COURT:

Defendant, WILLIAM S. BRADFIELD, JR., by his attorney, JOHN PAUL CURRAN, ESQUIRE, gives notice to this Honorable Court that an Appeal is hereby taken to the Supreme Court of the United States from the Order entered in this matter on September 30, 1985 by this Court. This Appeal is taken by Writ of Certiorari, pursuant to 28 U.S.C. §1257 (3).

Respectfully submitted,

CURRAN, MYLOTTE, DAVID & FITZPATRICK

By: _____

JOHN PAUL CURRAN, ESQUIRE
Attorney for Appellant

Filed: 4-1-86

COMMONWEALTH OF PENNSYLVANIA :

vs. : IN THE SUPERIOR COURT OF PENNSYLVANIA

WILLIAM S. BRADFIELD, JR., :

Appellant : No. 55 Phila. 1983

PROOF OF SERVICE

JOHN PAUL CURRAN, ESQUIRE, Attorney for Appellant, William S. Bradfield, Jr., hereby certifies that he did mail a true and correct copy of the Notice of Appeal in the above-captioned matter by regular mail on April 1, 1986 to John Reilly, Esquire, District Attorney of Delaware County Courthouse, Media, PA 19063.

CURRAN, MYLOTTE, DAVID & FITZPATRICK

By: _____

JOHN PAUL CURRAN, ESQUIRE
Attorney for Appellant